

Marro, J

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
LARRY JOSEPH AND PETER SAVITZ
PARTNERS,

16 Civ. 3554 (VM)

Plaintiff,

**CIVIL CASE MANAGEMENT
PLAN AND SCHEDULING
ORDER**

- against -

MOBILEYE, N.V.,

Defendant.
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This Scheduling Order and Case Management Plan is adopted in accordance with Fee. R. Civ. P. 16-26(f).

1. This case (is) (is not) to be tried to a jury: [circle one]
2. Joinder of additional parties to be accomplished by June 30, 2017.
3. Amended pleadings may be filed without leave of the Court until August 31, 2017.
4. Initial disclosure pursuant to Fed. R. Civ. P. 26(a)(1) to be completed within fourteen (14) days of the date of the parties' conference pursuant to Rule 26(f), specifically by not later than February 22, 2017.
5. All fact discovery is to be completed either:
 - a. Within one hundred twenty (120) days of the date of this Order, specifically by not later than _____; or
 - b. Within a period exceeding 120 days, with the Court's approval, if the case presents unique complexities or other exceptional circumstances, specifically by not later than July 31, 2017.
6. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain that they can still meet the discovery completion date ordered by the Court.
 - a. Initial requests for production of documents to be served by February 22, 2017
Responses to initial requests for production of documents by March 22, 2017
Document Production (on a rolling basis) March 22, 2017 through May 31, 2017
 - b. Interrogatories to be served by all parties by (non-contention) March 31, 2017

- c. Depositions to be completed by (fact witnesses) July 31, 2017
- i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial requests for document production.
- ii. Depositions of all parties shall proceed during the same time.
- iii. Unless the parties agree or the Court so orders, non-party depositions shall follow party depositions when possible. The parties have agreed that non-party discovery will be conducted simultaneously with party discovery
- d. Any additional contemplated discovery activities and the anticipated completion date:
- Depositions to be taken on reasonable notice; the parties will work together in good faith to schedule depositions
- The parties will work together in good faith to prepare an acceptable protective order
- e. Requests to Admit served no later than: (and contention interrogatories) July 31, 2017
7. All expert discovery (ordinarily conducted following the completion of fact discovery) including parties' expert reports and depositions, witness lists and identification of documents pursuant to Fed. R. Civ. P. 26(a)(2), (3) and 35(b), is to be completed by:
- a. Expert Reports (simultaneous exchange) by August 14, 2017
- b. Rebuttal Reports (simultaneous exchange) by August 24, 2017
- c. Expert Depositions to be completed by September 14, 2017
8. Contemplated motions:
- a. Dispositive motions to be filed by October 16, 2017
- b. Opposition briefs to be filed by November 13, 2017
- c. Reply briefs to be filed by November 27, 2017
9. Following all discovery, all counsel must meet for at least one hour to discuss settlement, such conference to be held by not later than October 16, 2017
10. Do all parties consent to trial by a Magistrate Judge under 28 U.S.C. § 636(c)?
- Yes ☐ No ☒

TO BE COMPLETED BY THE COURT:

11. The next Case Management Conference is scheduled for: 8-4-17 at 4:00 p.m.

In the event the case is to proceed to trial, a firm trial date and the deadline for submission of the Joint Pretrial Order and related documents shall be scheduled at the pretrial conference following either the completion of all discovery or the Court's ruling on any dispositive motion.

The Joint Pretrial Order should be prepared in accordance with Judge Marrero's Individual Practices. If this action is to be tried before a jury, proposed voir dire and jury instructions shall be filed with the Joint Pretrial Order. No motion for summary judgment shall be served after the deadline fixed for the Joint Pretrial Order.

SO ORDERED:

DATED: 4 March, 2017
New York, New York



VICTOR MARRERO
U.S.D.J.

JS